

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

**IN RE PHARMACEUTICAL INDUSTRY
AVERAGE WHOLESALE PRICE LITIGATION**

THIS DOCUMENT RELATES TO:

*State of California, ex rel. Ven-A-Care of the Florida
Keys, Inc. v. Abbott Laboratories, Inc., et al.*

Case No: 1:03-cv-11226-PBS

) **MDL No. 1456**
) **Master File No. 01-12257-PBS**
) **Subcategory Case No. 06-11337**
)
) **Judge Patti B. Saris**
)
) **Magistrate Judge**
) **Marianne B. Bowler**
)
)

**REQUEST FOR JUDICIAL NOTICE IN SUPPORT OF PLAINTIFFS' OPPOSITION
TO DEFENDANTS' JOINT MOTION FOR PARTIAL SUMMARY JUDGMENT**

Pursuant to Federal Rule of Evidence 201, Plaintiffs respectfully request that the Court take judicial notice of the documents listed below and attached hereto as exhibits. The documents are not subject to reasonable dispute in that they are "capable of accurate and ready determination by resort to sources whose accuracy cannot reasonably be questioned." Fed. R. Evid. 201(b).

1. S.B. 393, 1999 Leg., Reg. Sess. (Ca. 1999).
2. Assemb. B. 442, 2002 Leg., Reg. Sess. (Ca. 2002)
3. Assemb. B. 442, 2002 Leg., Reg. Sess. (Ca. 2002) (Complete Bill History)

Dated: December 21, 2009

Respectfully submitted,

EDMUND G. BROWN JR.
Attorney General for the State of California

By: /s/ Nicholas N. Paul
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**Attorneys for Plaintiff,
STATE OF CALIFORNIA**

CERTIFICATE OF SERVICE

I certify that a true and correct copy of the foregoing was delivered to all counsel of record by electronic service pursuant to Paragraph 11 of the Case Management Order No. 2, by sending on December 21, 2009, a copy to Lexis-Nexis for posting and notification to all parties.

/s/ Nicholas N. Paul
NICHOLAS N. PAUL